

App. F. IX-4

Previous References

1939.
(28)

File No. 19-39

Serial Nos. 1, 2, 4, 8
12, 15, 24.

PRESERVED

Later References.

ML 112-40 (3)

CS. 13-40.1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 7

Part B for May 40

SUBJECT.

Modification of and additions to the Rules framed under the Mysore Cooperative Societies Act.

Sl 24)

20

The Compiler,

No. 47 6238 of 14-5-40

WD 0573-GPB-22,500-12-9-39

Notifies the addition to Rule 31 of the Rules under the Societies Act III of 1918 relating to the conduct of elections to the Board of Management of other offices of Cooperative Societies.

Lawrence
27/5

1217/P

GENERAL AND REVENUE SECRETARIAT.

(68)

598 5653

NOTES.

File No. 19-39

FILE HEADING.

Modification of and additions to the Rules framed
under the Mysore Co-operative Societies Act

FROM

The Registrar of Co-operative Societies in Mysore

No. 2048

Dated

17-8-39

Received

18-8-39

Diary No. 298

Enclos. 5

Spare copies -

Serial No. 1

BRIEF ABSTRACT OF LETTER

Requests instructions re the interpretation of the words
"at least 15 days before the date" etc occurring in the second
subrule of Rule 31 relating to the Council of elections to the
Committee of management of Co-operative Societies.

NOTES AND ORDERS.

Copy of letter to the Registrar of Co. on the same subject
by Mr. C. E. Ramadas,

1 A copy of the Rules of elections is placed
below for perusal. The Law Secretariat may
be consulted on the question of interpretation
Rules for orders

A

27/8/39

Gentl's Secy

3

ys

23/8

Law Asst. Secy

WD 69-GBPM-5,000-14-7-31

24/8/39

25/8/39

GEN. & SECRETARY

23 AUG. 1939

137 NOTES—First Sheet

34 Law

5 "At least 15 days before the date etc etc" means that there should be 15 clear days interval before the date of the meeting. If the meeting is on the 16th of a month, then the calculation of the meeting should reach the number on the 1st. In counting 15 days, the date of the meeting should be excluded. The significance of the word "at least" is that the interval between the date of meeting & the date of service should be ~~at least~~ not less than 15 ~~minimum~~ days - it may be more than 15 ~~minimum~~ days.

6 'Seven days before the date etc etc' means 7 or 3 ~~minimum~~ days before the date. If any thing is to take place on the 10th, then the notice should be put up ~~on~~ on the 3rd or on the 7th.

7 The observation of the Registrar in Para 4 of his letter is correct.

Law Secretary. $\frac{3}{28/8/39}$

8 Where the words "at least" or "not less than" are used, the day of the act & the day of the event have both to be excluded in computing the period. Where the words are merely '3 days before' or '7 days before', it would be enough if 3 or 7 days notice is given i.e. either the day of the act or the day of the event is excluded. E.g. under rule, if the meeting is fixed for 28th of the



Revision of Cooperative Rules.

12.7.39

653

General and Revenue
Secretariat.

File No.

19

of 19 39

App. F. III-2 W

Serial
No.

information has to be given on 1st inst
on Feb 6 7th meeting, for the first
7 members should be kept for inspection
on 25th

GENERAL SECRETARY
30 AUG. 1939
1553

OFFICE OF THE
SECOND MEMBER OF COUNCIL,
30 AUG. 1939
No. 1669

9
Genl Secy
30/8

10 Order will come in conformity
with the opinion of the Law Secy.

2nd member)

11
30/8

30/8 -
31/8

31/8

12

Off reply to the Registrar is to be for when

3/9/39 4/9

13 For approval

Genl Secy

4/9/39

14
5/9

15 Issues

5/9

GENERAL SECRETARY
5 SEP. 1939

1762

NOTE-Contn. Sheet

2.

Issued. No. App. 845. 2. 7. 9. 39.

To Registrar 7 39

653

4
File No.

19

of 1939

General and Revenue
Secretariat.Serial
No.

16 It is for consideration and order whether the interpretations may be added as explanations to rules 2 & 5 of the Rules for the conduct of elections, by the issue of a notification to that effect. Previous publication under section 44(3) of the G.S. Act for notifying the explanation to the Rule does not seem necessary. Ld for order

21/9/39
Hb

17 May be added. Previous. Notification is not necessary.
Gentl: Secy

Hb
21/9

C.W.

Amg up

Hb

21/9 Hb

21/9

18 ~~As per Registrar's suggestion~~
Ascertaining from the Registrar whether the interpretation may not be issued as an explanation to the rule, for the guidance of all concerned & if he thinks it necessary, to suggest a draft of the explanatory note to be issued, indicating under which rule, it could be inserted.

Hb
15/10

19

Ld for order

20 Issue
16/10/39 Hb

20 Issue

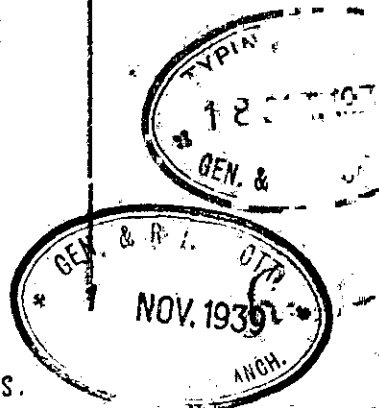
Issued No. AF 1897

D. 23.10.39

To the Registrar of C.S.

Requesting him to suggest a draft of the explanatory note to be issued in the matter.

GENERAL SECRETARY
21 SEP 1939
21/9



653 ✓ 2803'

General and Revenue
Secretariat.

File No. 19 of 1939

[App. F. III-2]

Serial
No.

8 Letter No 7571 dated 13-1-40 pursuant to the
provisionary draft amendments to the
rules of election to the Committee of Unemployed
after lunch

21 The Note is proposed to be added as a sub
rule after the last rule 15 of Rule 31 regarding
elections. The draft proposed requires
previous publication before final adoption.

It is submitted that the words "at least" and
"days before" are used in the subrules 1-5
and it is for consideration and orders whether

the note proposed by the Registrar may be
inserted between subrule 5 and 6, ~~under~~
of the rules of election (copy placed below)

~~4/14/40~~ ^{4/14/40} 22 The note proposed may be
inserted between rule 5 and 6.
and the draft proposed may be
published before final adoption

General Secy

~~4/14/40~~
5/2/40

23 2nd member)

24 K. C.
7.2

6/2
6/2

7/2
W. C. S. R.

GENERAL SECRETARY

6 FEB. 1940

6912

OFFICE OF THE
SECOND MEMBER OF COUNCIL

6 FEB. 1940

No. 6418

6
File No.

19:

of 19 25

General and Revenue
Secretariat.

Serial
No.

25
Dkt. Subd for above

to H.H.
9/2/40 10/2

gene say)

13/2

13/2

13/2

13 FEB. 1940
5077



AF. L270 2. 16. 2. 40 To The Compiler, M.G. 12

Notifies the Draft amendments to Rule 31 of the Rules under the Societies Act VII of 1918 in regard to the conduct of elections to the Bd of Management & other offices of cooperative societies.

Memo. no. AF. L271 2. 16. 2. 40 To The Registrar
forwards a copy of the above for information.

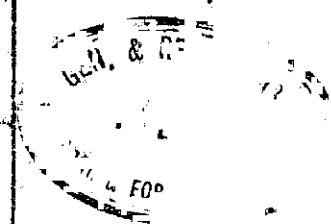
Letter no S. J. 605 dated 18/3/40 from the ~~Director of C. P. Revenue~~ L.M. Bank regarding the substitution of the word 'in the preceding rules' by the word 'in this rule' in the original heading.

The receipt of any other objections will be awaited till the end of this week. Subd

to H.H.
25/3/40

26/3

Sub B. K. L. T. T.
end of March 40
27/4



Sub B. K. L. T. T.
26/3

No objections have as far been received. The correction proposed by the Provincial Director L.M. Bank may perhaps be adopted. The rule with the suggestion



3761

General and Revenue
Secretariat.

65 File No.

19

of 19 35

[App.] F. III-2

Serial
No.

of the Proposed & flaps D in the file. Submitted

for order

~~to 11/10~~
~~24/6/40~~

The draft rule embodying
the suggestion to the President C.A.M. Board
has been approved.

See Secy)

25/4/40

GENERAL SEC.

25 APR. 1940

6644

2 members)

All

28/4

h/29/4

Draft 29/4

9396

Draft notification is held for advice

~~to 11/10~~

For perusal before June

See Secy)

7/5-

h/7/5-

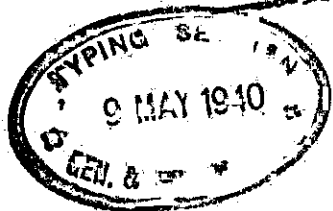
June

8/5-

GENERAL SECRETARY

7 MAY 1940

6967



24

A.F. 6238. Q. 14. 5. 40 To the Compiler M.G.

Notifies the addition to Rule 31 of the rules
under the Societies Act, VII of 1918. relating to the conduct
of elections to the B^od of Management or other offices
of Co-operative Societies.

A.F. 6239 Q. 14. 5. 40. Copy to the Registrar &c

~~Proposed~~

Next Contn Sheet

GEN. & REV. DEPT.
24 MAY 1940

GEN. & REV. DEPT.
24 MAY 1940

No. 2048 C S.

GOVERNMENT OF MYSORE

DEPARTMENT OF CO-OPERATION

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE,

Dated Bangalore, 17th August 1939

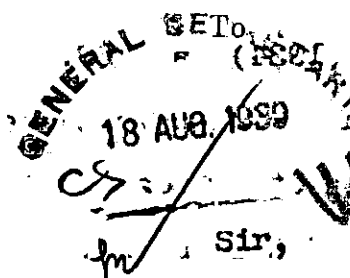
Telegraphic Address
"CO-OPERT"
Bangalore.

FROM

M. ABDUL HUKH, Esq., B.A.,

Registrar of Co-operative Societies in Mysore,

BANGALORE.



J. Appaji Gowda, Esq., B.A., (Hons),
Secretary to the Government of Mysore,
General Department, Bangalore.

Sir,

I have the honour to invite your kind reference to the marginally noted expressions appearing in Rule 31 of the Mysore Co-operative Societies' Rules

"At least 15 days before the date of the meeting" (in Sub-Rule 1).

"At least 15 days before the date fixed for the annual general meeting" (in Sub-rule 2).

"at least five days before the date of the Annual General Meeting" (in Sub-rule 3).

"seven days before the date of the Annual General Meeting" (in Sub-rule 2).

"three days before the date fixed for the Annual General Meeting" (in Sub-rules 4 and 5).

and to state that there is a difference of opinion in the matter of the computation of the periods specified therein.

2. In Section 9(i)

of the General Clauses of the Act, the words used are "from" and "to" which are not found in Rule 31 and so it is considered that the method of computation prescribed in the said Act is not applicable in this case.

3. In Section 173 of the Land Revenue Code, it is specified as follows:-

"No such sale shall take place on a General Holiday recognised by Government nor until after the expiration of at least thirty days.....from the latest date on which any of the said notices shall have been affixed as required....."

The meaning of the expression "after the expiration of at least thirty days" has been clarified by Government in their Order No.901/P.F. 16-93 dated 12th July 1893 (vide Revenue Manual Vol.I Page 204) as under:-

P.T.O.

under:-

"exclusive of the day on which the sale notice is published and of the day on which the sale takes place there must be an interval of clear thirty days."

4. From a perusal of Stroud's Judicial Dictionary 1890, pages 60 and 133 and the cases cited therein and Halsbury's Laws of England Volume XXVII (1913) pages 440-449 and the cases cited therein and Davar's Law and Procedure of Meetings in India (1924) Page 62, I am of opinion that the periods mentioned in the Rule will have to be counted as so many clear days excluding the date of notice and the date of meeting, irrespective of the words used "at least fifteen days ^{upon} ~~etc.~~" or "before fifteen days."

5. In view however of the different expressions used in the Rule, "at least before" and "before", and the necessity for a clear interpretation of the same to enable me to issue Circular instructions to the societies in this matter, I request that you will be so good as to obtain the orders of Government in the matter and communicate the same to me at an early date.

I have the honour to be,
Sir,
Your most obedient servant,

Handwritten signature
Registrar.

L.S.17/8.

Culp
21/12
From
21/12
153/60

C.E. RAMA RAU, Esquire, B.A.,
Retired Registrar of General & Revenue Secretariat,
No. 54, Sanker Mutt Road, Sankarapuram,
Basavangudi Post, Bangalore.

To

The Registrar of
Co-operative Societies in Mysore
B A N G A L O R E.



Sir,

In continuation of my letter of the 11th instant regarding the interpretation of certain expressions used in Rule 31 of the Mysore Co-operative Societies' Rules, I respectfully beg to invite reference to the judicial decisions cited below in regard to the interpretation of the terms "At least", "Not less than" and "Clear days" in connection with the length of notice required in regard to meetings and other matters. I fully hope that these decisions will be found very useful in arriving at a clear and unmistakable definition of all the terms in question. I regret I was not able to incorporate this information in my letter of the 11th instant, as I could not get it in time and request to be excused for this further trouble.

I. RAILWAY SLEEPERS SUPPLY CO.

(1885) 29 Chancery Division (English case) P.204.

The term "an interval of not less than 14 days" under Section 51 of the Companies Act, 1862 means that there must be an interval of 14 clear days exclusive of the respective days of meeting. A special resolution for reduction of capital, passed at a meeting held on 25-2-1885 and confirmed at a meeting held on 11-3-1885 was held to be bad.

II. MERCANTILE INVESTMENT CO. vs INTERNATIONAL CO

(1893) 1 Chancery Division (English case)
p.477, at p.489 Note.

Notice

Notice "at least 14 days before the date" of a meeting means 14 ~~days~~ clear days between the issue of the advertisement or circular calling for the meeting and the day of the meeting.

III ASHTON VS POWERS (Canadian case)
(The English and Empire Digest Vol. IX
p. 564 Note K.)

A bye-law of Defendant Company provided that notice of the time and place of the holding of the annual or general meeting must be given at least seven days previous thereto. A notice was sent by letter to each Shareholder on December 6 for December 13.

Held: "At least" meant clear days excluding both the day of the act and that of the event.

IV MOUNT OXIDE MINES LTD. VS. GOULD. (Australian case). (The English and Empire Digest Vol. IX
p. 565 - Note N.)

The articles of association of a Company required that at least five days' notice of a meeting should be given to the Shareholders.

Held: Five clear days' notice must be given.

V. "Where the articles provide for a notice of seven days to be given to each member, it means seven clear days. i.e., exclusive of the day of giving the notice and the day of the meeting" - S.R. Davar, Indian Companies Law and Practice, Vol. I, p. 744.

beg to
I remain, Sir,
Your most obedient servant,

12 ✓

From

C.E. Rama Rao, Esq., B.A.,
Retired Registrar, General and Revenue
Secretariat, 54, Sankaramutt Road,
Sankarapuram, Basavangudi Post,
BANGALORE.

To

The Registrar of Co-operative Societies
in Mysore,
BANGALORE.

Sir,

I beg to invite kind reference to your letter No.11977 C.S. dated 8th April 1939 to the President of the Basavangudi Co-operative Society, Ltd., Bangalore, and request to be informed whether the interpretation therein given to certain expressions used in Rule 31 of the Mysore Co-operative Societies Rules is applicable only to that Society in particular or whether the said interpretation has to be adopted and followed by all societies in general, although it has not been communicated to them. If however, it is intended to apply to all societies in general, I beg leave to urge the facts mentioned below for your kind consideration and favourable orders.

2. In rule 31 ~~of~~ the following expressions are used in the sub-rules moved against each:-

- A { (1) "At least 15 days before the date of the meeting" (Sub rule (1))
(2) "At least 15 days before the date fixed for the annual general meeting" (Sub rule (2))
(3) "At least five days before the date of the annual general meeting" (Sub rule (3))
(4) "At least five days before the annual general meeting" (Sub rule (3))
- B { (5) "Seven days before the date of the annual general meeting" (Sub rule (2))
(3) "Three days before the date fixed for the annual general meeting" (Sub rule (4))
(7) "Three days before the date of the annual general meeting" (Sub rule (5))

In the Registrar's letter under reference in regard to the meaning of the Expression "At least fifteen days before the date of the general meeting",

it is stated "That for purposes of computing the period the day of the meeting should be excluded. Thus if the meeting is to be held on the 30th April 1939, the notice of the meeting should be in the hands of the members on the 15th April 1939 at the latest". It is also stated that "The same method of computation may be adopted in respect of the expressions, 'Seven days before the date of the meeting' 'At least five days before the date of the general meeting', and 'Three days before the date of the General meeting'

3. So far as the exclusion of the day of the meeting from computation is concerned, there is no doubt whatever as the word "before" or the expression "before the date" occurring in each of the seven expressions mentioned in the preceding paragraph make it abundantly clear that that day should be omitted in all cases from the period of ~~xxx~~ ~~xxxx~~ time prescribed by the Rule. But in regard to the fixing of the first day of the prescribed interval, as for instance when there is a question as to whether the day of receipt of notice by the members should be included in or excluded from the ~~the~~ ^{I beg leave to submit that} said interval, the solution does not seem to be so apparently easy or clear inasmuch as in the first four expressions grouped under A in para 2 above, the words indicating the period of time are in each case preceded by the words "At least" whereas in the remaining three expressions grouped under B, the words "At least" are conspicuous by their absence in the phrases signifying the interval of time. This naturally necessitates a distinction being made in interpreting the expressions in each group- as the Government could not have inserted the words "At least" without attaching any specific meaning to them and it would not be right to say that they have no significant meaning. ~~in that~~ It seems to me that they clearly and definitely

indicate that the words which immediately follow them for defining the period of time numerically must be taken unhesitatingly as so many clear and full days of twenty four hours each, independent of and distinct from the date of receipt of notice by the member. In actual practice even in cases where the words At least or their equivalents are not used, the mere mention of the number of days is taken as so many clear days, i.e., excluding the day of receipt of notice and the day of the meeting. This latter view is supported by Soharab R Davar in his book "The law and procedure of meetings in India" wherein he states "Where the Articles provide for a notice of seven days to be given to each member it means seven clear days, i.e., exclusive of the day of giving the ~~max~~ notice and the day of the meeting" and also cites Judicial Decisions in support of it.

4. In view of what is stated above, ~~if possible~~ I venture to submit that there is some room at least for a reconsideration of the interpretation given in the Registrar's letter under reference and to declare emphatically and beyond a doubt that in all cases of the time limit mentioned in Rule 31, the number of days indicated must be construed as so many clear days exclusive of the day of the receipt of the notice and the day of the meeting or whatever else it may be. I may be permitted to add that in any case a clarification in unambiguous terms of the meaning of these expressions in this Rule is immediately necessary in view of the fact that almost all the annual general meetings and elections are likely to take place during the current and the succeeding two - - months. The urgency is all the greater as the Central Co-operative Bank, of which I am a member, has notified that an Extraordinary General meeting will be held on the 20th instant for election of its office bearers in

14

accordance with Rule 31, and ^{the} the method of computation referred to in para 2 above was intimated by the Registrar to that Bank also on a recent previous occasion.

I beg to be excused for approaching you in this matter and my only excuse is my anxiety to avoid all possible misinterpretations of rules and creation of troubles at general meetings by the interested parties.

I beg to remain,

S i r.

Your most obedient servant,

Bangalore.)
11th August 1939.)

SUBJECT

Section

File No.

Serial No.

No. 47845

To

The Registrar of Co.

General and Revenue Secretariat

the

193

Date of issue

2/9/39

Signed by

Mr. H. N. 222

List of enclosures

Copied by

Examined by

For Advertising to your letter No 2048/10 dated 17-8-39 re the interpretation of the word "at least ... days" etc occurring in the rules of elections. I am directed to state as follows:-
Where the words "at least" or "not less than" are used the day of the act and the day of the event have both to be excluded. ^{in computing the period} Thus if a meeting is fixed on the 28th of a month, the notice ^{in such case} to be sent on the 12th of the month ^{before} when the words "at least" or "not less than" are used.

Where the words ... days before are mentioned it is enough if either the day of the act or the day of event is excluded. Thus if the meeting is fixed on the 28th of

a month the notice ~~will~~ be given
on the 25th ^{later} where the word "these"
6 days before ~~the execution~~

I have etc

no
5/8
J. J. J.
4/19/39

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 2-9-39

No. A7 845
CS 19-29-2

From

*The General Secretary to the Government of His Highness
the Maharaja of Mysore.*

To

The Registrar of Co-operative Societies in Mysore,

Sir,

B a n g a l o r e.

Adverting to your letter No.2048 C.S. dated 17th August 1939, regarding the interpretation of the words "at least days" etc., occurring in the rules of elections. I am directed to state as follows:-

Where the words "at least" or "not less than" are used the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notices in such cases have to be sent on the 12th of the month latest.

Where the words "..... days before" are mentioned it is enough if either ~~the~~ day of the act or the day of event is excluded. Thus if the meeting is fixed on the 28th of a month the notice may be given on the 25th latest.

I have the honour to be,

Sir,

Your most obedient servant,

SH
For General Secretary to Government.

K.M.R.4.

SUBJECT.....

Section *bs*

File No. 19-39

Serial No. 4

Diary No. of letter replied to.....

No. *A 71897*To *The Registrar Genl.*

General and Revenue Secretariat

the

193

Date of issue.....

28-10-39

Signed by.....

Mr. H. A. Wilson

List of enclosures.....

Copied by.....

Examined by.....

For

I am directed to invite your
 notice to this office letter No. AF 8457
 of 19-39-2 dated 7-9-39 in the
 matters of interpretation of the
 words "at least" appearing
 in the rules of elections, and to
 enquire whether the interpretation
 given in the letter under
 advertisement may not be correct as
 an explanation to the rules for the
 guidance of all concerned and to
~~request~~ if you think it necessary,
 to request you to kindly suggest
 a draft of the explanatory note
 to be issued indicating under
 which rule it could be inserted

I have etc

[Signature]
 For Secretary 17/10.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 22-10-39

No. A71897
CS 19-39-4

From

*The General Secretary to the Government of His Highness
the Maharaja of Mysore.*

To

The Registrar of Co-operative Societies in Mysore,

B a n g a l o r e.

Sir,

I am directed to invite your reference to this office letter No.A.I.245/C.S.19-39-2 dated 7th September 1939, in the matters of interpretation of the words "at least days etc., occurring in the rules of elections and to enquire whether the interpretation given in the letter under advertence may not be issued as an explanation to the rules for the guidance of all concerned and if you think it necessary to request you to kindly suggest a draft of the explanatory note to be issued indicating under which rule it could be inserted.

I have the honour to be,

Sir,

Your most obedient servant,

DM
K.S.
For General Secretary to Government.

K..h.2.

No. 7571 C. S.

DEPARTMENT OF CO-OPERATION

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE,

Telegraphic Address
"CO-OPERT"
Bangalore.

Dated Bangalore, 12th Jan., 1940

13

2803

FROM

M. ABDUL HUKH, Esq., B.A.,

Registrar of Co-operative Societies in Mysore,

BANGALORE.

To
GENERAL SECRETARY
15 JAN. 1940
C. S.

J. Appaji Gowda, Esq., B.A. (Hons)

General Secretary to Government,

Bangalore.

Sir,

With reference to your letter No: A.F.1897/C.S.19-39-4 dated 23rd October 1939 requesting to suggest a draft of the explanatory note to be issued under Rule 31 of the Mysore Co-operative Societies' Act Rules indicating the mode of computation of the periods specified in the said Rule, I have the honour to send herewith the draft of the explanatory note:--

[Note(i) In this rule, where the words 'At least' or 'not less than' ~~are used~~ the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words ".....days before" are mentioned, it is enough if either the day of the act or the day of ^{the} event is excluded. Thus if the meeting is ~~held~~ ^{fixed} on the 28th of a month, the publication of the voting slip contemplated in sub rule 4 has to be done on the 25th at the latest.]

The note may be included in the Rule after sub rule 18.

I have the honour to be,
Sir,
Your most obedient servant,

M. Abdul Hukh

Registrar.

21

NOTIFICATION.

*No. D. 4923—C. S. 11-36-231, dated Bangalore,
the 12—15th January 1938.*

In exercise of the powers vested under Section 44 (2) (g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to make the following rule for the election of the members to the Committees of Management and of other offices of Co-operative Societies.

Rule 31—The following rules for the election of the members to the Committees of Management or of other offices of Co-operative Societies should be adopted by all Co-operative Societies registered in Mysore under the Mysore Co-operative Societies Act VII of 1918 as amended from time to time.

RULES.

1. Soon after the close of the official year, the accounts of the society should be got audited, and the date of the annual general meeting fixed and intimated to all the members, at least 15 days before the date of the meeting.

2. A list of members who are in default for three months and more, in respect of their dues to the society, should be prepared, and notices given to such defaulters at least 15 days before the date fixed for the general meeting that they will not be entitled either to vote at the general ^{election} meeting, or to stand as candidates for election to the Committee of Management, or to any office in the society, if they fail to pay up the amounts due to the society seven days before the date of the general meeting.

Exception.—This provision shall not apply to such of the rural societies as may be exempted by the Registrar.

3. Members desirous of standing as candidates to the Committee of Management, or to other offices, should give their applications to the Secretary, or to the office of the society, at least five days before the date of the general meeting. A member may nominate as many persons as

W

there are seats on the Committee or other office, from among those who are not defaulters and give such nomination paper to the Secretary or to the office of the society at least five days before the general meeting. In all cases of nominations, the consent of the concerned candidates should have been obtained in writing. If the consent of nominated candidates has not been taken, their names shall not be included in the voting slips. / *amended*

amended / 4. The names of those who have duly applied or are nominated (if they are not otherwise ineligible), shall be noted in the voting slips, and a copy thereof shall be published on the notice board of the society three days before the date fixed for the general meeting.

5. Three days before the date of the general meeting, a list of members eligible for voting should be prepared and kept in the society for inspection of members. / *amended*

6. All the members that attend the general meeting should sign in the Register kept for the purpose as they enter the place of the meeting. / *amended*

7. The General Body should decide the time during which voting may take place. If the power of fixing the time of voting has been delegated to a committee by the General Body, the committee may fix the same.

8. Voters should appear in person and vote.

9. Identification slips may be issued to members entitled to vote. Members who hold identification tickets should produce them before the Polling Officer at the Polling Booth and obtain voting slips from him.

10. The voting slip should bear the seal of the society or some other distinguishing mark.

11. Canvassing or soliciting votes prior to or during the conduct of elections shall be strictly prohibited within the premises (which shall include the compound of the building also) where the polling is arranged to be held.

12. Voting shall be by ballot, and voters should put a mark prescribed for this purpose against the names of candidates whom they wish to elect, fold the voting slip, and deposit it in the ballot box. The polling officers should help the illiterate members in marking names in the voting slips.

13. The General Body should, before the commencement of election appoint as many Polling Officers as may



NOTIFICATION.

No. D. 4512—C. S. 11-36-308, dated Bangalore,
21st-November 1938.

In exercise of the powers vested in them under Section 44 (2) (g) of the Mysore Co-operative Societies Act VII of 1918, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to make the following modifications in Rule 31 of the Rules in the matter of election of members to the Committees of Management of Co-operative Societies.

(1) Add the following as sub-rule 2-A of Rule 31.

“As a rule all the members of the committee of management shall be deemed to have vacated their seats at the time of the annual general meeting but shall continue in office till relieved by their successors.”

(2) Add the word “annual” before the words “general meeting,” wherever the same occur in Rule 31.

(3) For the word “meeting” in line 6 of sub-rule 2 of Rule 31, substitute the word “election.”

By Order,

P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

be necessary for the proper conduct of elections and Tellers to count the votes

14. After all the voters present have voted or after the time fixed for voting by the General Body or by the Committee is over, the Polling Officer shall stop voting and deliver the Ballot Box to the Tellers.

15. Tellers shall take into consideration only such voting slips as shall have been regularly filled up.

16. Soon after the counting of votes is over, the result shall be announced either at the general meeting, if possible, or published on the Notice Board of the society under the signature of the Chairman of the meeting. *annual*

17. The Chairman of the General Meeting shall arrange to keep in safe custody in the society in a sealed box the voting slips and their counter-foils, the register containing the signature of members that attended the meeting and the report of the Tellers. These may be burnt two months after the date of the general meeting. *annual*

18. If any member wishes to file any dispute regarding the elections, he should do so, within thirty days from the date of announcement of the result of the election by presenting a petition before the Registrar.

By Order,

P. H. KRISHNA RAO,

Secretary to Government,

Local Self-Government Department.

SUBJECT.....
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Section 65
File No. 19-39
Serial No. 12.

Diary No. of letter replied to

No. A 74270

General and Revenue Secretariat

To Notification

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the 193 .

In exercise of the powers vested in them under section 44 (2) (g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time. The Govt of H. H. the Maharaja of Mysore are pleased to publish for information the following draft amendments to Rule 31 of the Rules under the said Act in regard to ~~relating~~ to the conduct of elections to the Board of management and other offices of co-operative societies

Date of issue.....16-2-40.....

Signed by M. N. N. S. -

List of enclosures.....

Any objection or suggestion to the proposed rules may be sent in writing to the General Secretary to Govt within one month ^{from} ^{date of} ~~after~~ publication of this ~~notification~~ notification in the

Copied by.....

Examined by.....

1/10
Myom Gazette after which the ^{draft} ~~announcements~~
will be taken up for consideration

Any suggestions received after the
due date will not be considered.

insert the following as a note between
sub rules 5 and 6 of Rule 31.

(Then enter the portion marked in brackets
in red pencil in the P.O.)

B. O ✓ 13/2 ✓ 13/2. J. J. J.	13/2. J. J. J.
To The Compiler Myom Gazette for publication in Part IV of the Gazette in English and Kannada with the request that 50 copies of the notes be sent to the Reg. C. and 25 copies to this office	13/2. J. J. J.
13/2. J. J. J. copy of the above is forwarded with compliments to the Registrar of C. for information	13/2. J. J. J.
✓ B. O 13/2. J. J. J.	13/2. J. J. J.
13/2. J. J. J.	13/2. J. J. J.

No. AZ.420
CS 19-29-12

General and Revenue Secretariat,

Dated Bangalore 16th February.....193/40.

NOTIFICATION.

In exercise of the powers vested in them under Section 44 (2) (g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time; the Government of His Highness the Maharaja of Mysore are pleased to publish for information the following draft amendments to Rule 31 of the Rules under the said Act in regard to the conduct of elections to the Board of management and other Offices of Co-operative Societies.

Any objection or suggestion to the proposed rules may be sent in writing to the General Secretary to Government within one month from the date of publication of this notification in the Mysore Gazette, after which the draft amendments will be taken up for consideration.

Any suggestions received after the due date will not be considered.

Insert the following as a note between sub rules 5 and 6 of Rule 31:-

Note (i) In this rule, wherever the words 'at least' or 'not less than' occur the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words "..... days before" are mentioned, it is enough if either the day of the act or the day of the event is excluded. Thus if the meeting is fixed on the 28th of a month, the publication of the voting slip contemplated in sub rule 4 has to be done on the 25th at the latest.

By Order,

Humayun Raza
General Secretary to Government.

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada with the request that 50 copies of the Notification be sent to the Registrar of Co-operative Societies and 25 copies to this office.

NOTIFICATION.

No. A. F. 4270—C. S. 19-39-12, dated Bangalore, 
the 16th February 1940.

In exercise of the powers vested in them under Section 44 (2)(g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for information the following draft amendments to Rule 31 of the Rules under the said Act in regard to the conduct of elections to the Board of Management and other Offices of Co-operative Societies.

Any objection or suggestion to the proposed rules may be sent in writing to the General Secretary to Government within one month from the date of publication of this notification in the Mysore Gazette, after which the draft amendments will be taken up for consideration.

Any suggestions received after the due date will not be considered.

Insert the following as a note between sub-rules 5 and 6 of Rule 31 :—

Note.—(i) In this rule, wherever the words 'at least' or 'not less than' occur, the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub-rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words " days before " are mentioned, it is enough if either the day of the act or the day of the event is excluded. Thus if the meeting is fixed on the 28th of a month, the publication of the voting slip contemplated in sub-rule 4 has to be done on the 25th at the latest.

By Order,

J. APPAJI GOWDA,

Secretary to Government,
General Department.

CS 19-39-15

WHILE REPLYING PLEASE REFER TO No. S.I. 608

No. 1-2, Albert Victor Road,
CHAMARAJAPET,
BANGALORE CITY.

Dated 18th March 1940.

Encls.

From

Rajasabhabhushana Diwan Bahadur

K. R. SRINIVASIENGAR, Esq., M.A.,

President, The Mysore Central Co-operative Land Mortgage Bank, Ltd.,

BANGALORE CITY.

To

The General Secretary to the Government
of His Highness The Maharajah of Mysore,
BANGALORE.



GENERAL SECRETARY,
19 MAR 1940

Sir,
With reference to Notification No. A.F. 4270/C.S. 19-39-12 dated 16-2-1940 published in the Gazettee dated 22-2-1940, calling for objections or suggestions to the proposed amendments to Rule 31 of the Rules under the Mysore Co-operative Societies Act, I have the honour to state as follows:-

The Notes (i) and (ii) proposed to be introduced between the Rules 5 and 6 of the Election Rules are, I believe, meant to be applicable not to Rule 5 alone but to all the preceding Rules Nos. 1, 2, 3 and 4. If so, the wording "In this Rule" in Note (i) would not be correct, and it will have to be corrected to "In the preceding Rules".

I have the honour to be,
Sir,
Your most obedient servant,

President.

RR

NOTIFICATION.

No. A. F. 4270—C. S. 19-39-12, dated Bangalore,
the 16th February 1940.

In exercise of the powers vested in them under Section 44 (2)(g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for information the following draft amendments to Rule 31 of the Rules under the said Act in regard to the conduct of elections to the Board of Management and other Offices of Co-operative Societies.

Any objection or suggestion to the proposed rules may be sent in writing to the General Secretary to Government within one month from the date of publication of this notification in the *Mysore Gazette*, after which the draft amendments will be taken up for consideration.

Any suggestions received after the due date will not be considered.

Insert the following as a note between sub-rules 5 and 6 of Rule 31 :— *The preceding rules*

Note.—(i) In ~~this rule~~, wherever the words 'at least' or 'not less than' occur, the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub-rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words " days before " are mentioned, it is enough if either the day of the act or the day of the event is excluded. Thus if the meeting is fixed on the 28th of a month, the publication of the voting slip contemplated in sub-rule 4 has to be done on the 25th at the latest.

By Order,

J. APPAJI GOWDA,

Secretary to Government,
General Department.

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Appendix F G-1]

SUBJECT.....

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Section

65

File No.

19-39

Serial No.

24

Diary No. of letter replied to.....

General and Revenue Secretariat

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the

19

Date of issue.....

14-5-40

Signed by

Mr. J. A. G.

List of enclosures.....

Copied by

14/5/40

Examined by

No. A 7 6238

Notification

In exercise of the powers vested in them under Section 44(2)(g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Govt of Mysore the members of Mysore are pleased to add the following to Rule 31 of the Rules ^{under the said Act} relating to the Council of elections to the Board of Management or other officers of co-operative Societies.

(Here enter the portion inserted in brackets in the enclosure)

B. O

R

To The Controller. Mysore
P.T.O.

h²✓

for publication in Part IV of the Gazette
in English and Kannada with the
number 200 copies of each of the
editions. may be sent to the Registrar
and 100 copies to the office

Serial 476209 of 1st-3

Copies of the above & forwarded
with Compliments to the Registrar
for information

B.O

R

7/5
Secretary

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23

NOTIFICATION.

No. A. F. 4270—C. S. 19-39-12, dated Bangalore,
the 16th February 1940.

In exercise of the powers vested in them under Section 44 (2) (g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for information the following draft amendments to Rule 31 of the Rules under the said Act in regard to the conduct of elections to the Board of Management and other Offices of Co-operative Societies.

Any objection or suggestion to the proposed rules may be sent in writing to the General Secretary to Government within one month from the date of publication of this notification in the *Mysore Gazette*, after which the draft amendments will be taken up for consideration.

Any suggestions received after the due date will not be considered.

[Insert the following as a note between sub-rules 5 and 6 of Rule 31 :— *The preceding rules*

Note.—(i) In ~~this rule~~, wherever the words 'at least' or 'not less than' occur, the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub-rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words " days before " are mentioned, it is enough if either the day of the act or the day of the event is excluded. Thus if the meeting is fixed on the 28th of a month, the publication of the voting slip contemplated in sub-rule 4 has to be done on the 25th at the latest.]

By Order,
J. APPAJI GOWDA,
Secretary to Government,
General Department.

No. *476238*
PS 19-2924

General and Revenue Secretariat,

Dated Bangalore.....*14th* May.....*1940*

NOTIFICATION.

In exercise of the powers vested in them under Section 44(2) (g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to add the following to Rule 31 of the Rules under the said Act relating to the conduct of elections to the Board of management ^{or} and other offices of Co-operative Societies.

Insert the following as a note between sub-rules 5 and 6 of Rule 31:-

Note- (i) In the preceding rules wherever the words 'at least' or 'not less than' occur, the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub-rule 1 should be sent at the latest on the 12th of the month.

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By Order,

Nanjundiah
General Secretary to Government

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada with the request that 200 copies of each of the notification may be sent to the Registrar of Co-operative Societies and 100 copies to this office.

No. A 716238
2819-39-24

General and Revenue Secretariat,
Dated Bangalore.....14th May.....1940

NOTIFICATION.

In exercise of the powers vested in them under Section 44(2) (g) of the Mysore Co-operative Societies Act VII of 1918 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to add the following to Rule 31 of the Rules under the said Act relating to the conduct of elections to the Board of management ^{and} other offices of Co-operative Societies.

Insert the following as a note between sub-rules 5 and 6 of Rule 31:-

Note- (i) In the preceding rules wherever the words 'at least' or 'not less than' occur, the day of the act and the day of the event have both to be excluded in computing the period. Thus if a meeting is fixed on the 28th of a month, the notice contemplated in sub-rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words" days before" are mentioned, it is enough if either the day of the act or the day of the event is excluded. Thus if the meeting is fixed on the 28th of a month, the publication of the voting slip contemplated in sub-rule 4 has to be done on the 25th at the latest.

By Order,

Sd.J.Appaji Gowda.
General Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada with the request that 200 copies of each of the notification may be sent to the Registrar of Co-operative Societies and 100 copies to this office.

Memo No. A 716239

Dated, Bangalore, the 14th May 1940.

Copy of the above is forwarded with compliments to the Registrar of Co-operative Societies in Mysore, for information.

By Order,

Sd B
For General Secretary to Govt.

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NOTIFICATION.

*No. A. F. 6238—C. S. 19-39-24, dated Bangalore,
the 14th May 1940.*

In exercise of the powers vested in them under Section 44 (2) (g) of the Mysore Co-operative Societies Act, VII of 1918, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to add the following to Rule 31 of the rules under the said Act relating to the conduct of elections to the Board of Management or other offices of Co-operative Societies.

Insert the following as a note between sub-rules 5 and 6 of Rule 31 :—

Note.—(i) In the preceding rules, wherever the words 'at least' or 'not less than' occur, the day of the act and the day of the event have both to be excluded in computing the period. Thus, if a meeting is fixed on the 28th of a month, the notice contemplated in sub-rule 1 should be sent at the latest on the 12th of the month.

(ii) Where the words " days before " are mentioned, it is enough if either the day of the act or the day of the event is excluded. Thus, if the meeting is fixed on the 28th of a month, the publication of the voting slip contemplated in sub-rule 4 has to be done on the 25th at the latest.

By Order,

J. APPAJI GOWDA,

*Secretary to Government,
General Department.*